

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE**

VALASSIS COMMUNICATIONS, INC.,

Plaintiff,

v

Case No. 2:06-cv-10240
Hon. Sean F. Cox

NEWS AMERICA INCORPORATED,
a/k/a NEWS AMERICA MARKETING GROUP,
NEWS AMERICA MARKETING FSI, INC.
a/k/a NEWS AMERICA MARKETING IN-STORE
SERVICES, INC. a/k/a NEWS AMERICA
MARKETING IN-STORE SERVICES, LLC

Case No. 07-706645-CZ
Hon. Michael Sapala

Defendants

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**REPORT AND RECOMMENDATION OF SPECIAL DISCOVERY MASTER DENYING
VALASSIS COMMUNICATIONS' MOTION TO AMEND "RULING" AND
RECOMMENDATION DATED OCTOBER 24, 2008**

The matter before the Special Discovery Master is Valassis Communications' Motion to Amend "Ruling" and Recommendation Dated October 24, 2008. The Special Discovery Master has reviewed Valassis Communications' Motion to Amend "Ruling" and Recommendation Dated October 24, 2008, and News America's Opposition in Response to Valassis Communications' Motion to Amend "Ruling" and Recommendation Dated October 24, 2008. A telephonic hearing was held on November 18, 2008.

Plaintiff seeks to amend paragraph 6 of the Report and Recommendation Regarding Valassis Communications, Inc.'s Motion to Compel, dated October 24, 2008 ("October 24, 2008 R&R"). First, Valassis claims that any and all videos made of sales summits for 2002, 2004 and 2006 were required to be produced under paragraph 6 of the October 24, 2008 R&R. This issue is discussed and decided in the Report and Recommendation Denying Plaintiff's Motion to Hold Defendants in Contempt for Violations of Special Discovery Master Sankbeil's Report and Recommendation of October 24, 2008, dated December 1, 2008. Accordingly, the relief sought is denied.

Plaintiff also seeks to amend paragraph 6 of the October 24, 2008 R&R to include videos for the sales summit held in the year 2000. New America agreed to make a reasonable search to determine whether videos of the fourteen identified people for whom production of videos for the 2002, 2004 and 2006 sales summits existed for the 2000 sales summit. News America's counsel has represented that based upon a reasonable search no videos exist for the fourteen identified people for the 2000 sales summit.

Based upon the briefs of the parties, the discussion held during the November 18, 2008 telephonic hearing, News America's counsel's representation and the reasons set forth in the Report and Recommendation Denying Plaintiff's Motion to Hold Defendants in Contempt for

Violation of Special Discovery Master Sankbeil's Report and Recommendation of October 24, 2008, dated December 1, 2008:

IT IS HEREBY ORDERED that Valassis Communications' Motion to Amend the "Ruling" and Recommendation Dated October 24, 2008 is moot relative to production of sales summit videos for the year 2000 and denied relative to the request to make any other amendment.

Respectfully submitted,

/s/ William A. Sankbeil
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Dated: December 1, 2008

CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2008, I electronically filed the foregoing Report and Recommendation of Special Discovery Master Denying Valassis Communication's Motion to Amend "Ruling" and Recommendation Dated October 24, 2008 with the Clerk of the Court using the ECF system which will send notification of such filing to all counsel of record.

By: /s/ William A. Sankbeil

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